

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Ted Christopher

**Examiner:** Francis J. Jaworski

**Serial No.:** 08/746,360

**Art Unit:** 3737

**Filed:** November 8, 1996

**Docket:** 9872

**For:** FINITE AMPLITUDE DISTORTION-  
BASED INHOMOGENEOUS PULSE  
ECHO ULTRASONIC IMAGING

**Dated:** September 15, 2005

**Confirmation No.:** 7522

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705**

Sir:

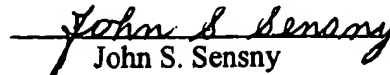
This petition is responsive to the Determination of Patent Term Extension under 35 U.S.C. § 154(b), mailed 15 June 2005 together with the Notice of Allowance and Fees Due issued in the above-captioned application. That determination alleged that the instant application is entitled to zero (0) days' Patent Term Extension. Applicant respectfully traverses this determination and petitions for Patent Term Adjustment pursuant to 37 C.F.R. § 1.705. This petition is timely filed concurrently with the payment of the Issue Fee in this application, and the U.S. Patent and Trademark Office is authorized to charge the required \$200.00 Petition Fee, pursuant to 37 C.F.R. § 1.18(e), to Deposit Account No. 19-3886/RCT. A duplicate copy of this paper is enclosed.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15, 2005.

**Dated:** September 15, 2005

  
John S. Sensny

01/23/2006 CKHLOK 00000006 193886 08746360


01 FC:1455 200.00 DA

attributable to the public use proceeding under § 154(b)(1)(B)(ii) would be recaptured under § 154(b)(1)(C)(i).

## V. Conclusion

It can be seen from the foregoing that the instant application is entitled to patent term extension, at least in the amount of 1,117 days under the prior provisions of 35 U.S.C. § 154(b). However, contrary to the USPTO's erroneous interpretation and subsequent implementation of the PTGA, the instant application is entitled to treatment under 35 U.S.C. § 154(b) as amended, and accordingly is entitled to patent term extension in the amount of 2,241 days. Applicant kindly requests the Director to issue the patent to be granted on the instant application indicating the full patent term extension of 2,241 days.

Respectfully Submitted,

  
John S. Sensny  
Reg. No. 28,757  
Attorney for Applicant

Scully, Scott, Murphy & Presser  
400 Garden City Plaza - Suite 300  
Garden City, New York 11530  
(516) 742-4343

JSS:jy  
Enclosure: Exhibit A